

S. G. Mastriani Construction

CONTRACT NO. V693C-358

VABCA-4891 & 5109

VA MEDICAL CENTER
Wilkes-Barre, Pennsylvania

James M. Tressler, Esq., O'Malley & Harris, P.C., Scranton, Pennsylvania, for the Appellant.

Stacey North Willis, Esq., Trial Attorney; **Charlma O. Jones, Esq.**, Deputy Assistant General Counsel; and **Phillipa L. Anderson, Esq.**, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER REINSTATING APPEALS AND ENTERING JUDGMENT

1. These Appeals were dismissed on September 5, 1997. On October 29, 1997, the Department of Veterans Affairs and Appellant filed a Joint Motion for Order Entering Judgement. The motion encloses a Stipulation of Settlement finally executed on October 20, 1997.
2. The parties recite that they have reached amicable resolution of the issues which are the subject of VABCA-4891 & 5109 and jointly move that the Board enter Judgment in the amount of \$8,000 which includes all costs, both direct and indirect, including attorney's fees and interest, in accordance with the *Contract Disputes Act of 1978*, 41 U.S.C. ¶ 601-613, commencing May 6, 1996.
3. Inasmuch as the parties have stipulated the equitable adjustments due S. G. Mastriani Construction in VABCA-4891 & 5109, their JOINT Motion For Order Entering Judgment is Granted. Appellant is found entitled to \$8,000 plus interest pursuant to the terms and conditions of the Stipulation of Settlement entered into by the parties.

It Is So Ordered

Date: **December 16, 1997**

William E. Thomas, Jr.
Administrative Judge